

REMARKS

Reconsideration of the above-referenced application is respectively requested in view of the above amendments and these remarks. Claims 1-16 are currently pending and claims 17-20 are cancelled.

According to the Office Action, claims 1-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,215,865 to McCalmont. Applicants have amended claims 1 and 10 and have cancelled claims 17-20 to clarify the claimed subject matter. In particular, Applicants have amended claim 1 to indicate that new feature is a feature that is provided by the network and that feature is being transferred from the network to the second user. Claim 1 is therefore directed to a first user initiating a feature transfer to a second user. The feature is provided by the network and is transferred by the network to the second user. The new feature is activated by the network for use by the second user and the second user accepts the new feature.

Applicants have also amended claim 10 to indicate that the call intercept is a feature that is provided by the network for use by the first user and the second user. Claim 10 is therefore directed to a method for network initiated feature transfer where a call agent is used for call intercept and the call intercept is a feature that is provided by the telecommunications network for the use of the first user and the second user. The third call agent redirects a call attempt from the first user to the second user using the call intercept feature that is provided as a new feature by the telecommunications network. Thus, the call intercept feature is also provided by and activated by the network for use by the users.

McCalmont is directed to a system and method for use in call center operations that enables a customer service representative (CSR) to transfer a customer to a receiving CSR with selected data that describes the reason for transfer. The receiving CSR receives the transferred customer call and the selected data. The system includes a number of CSR workstations each executing a telephony client in conjunction with a telephony server providing integration of customer data from a call center database and the voice communication handled by an automatic call distributor. The telephony client includes a user interface for selecting a destination for transferring a customer call and

one or more reason data element that describe the reason for transferring the call. The customer call is transferred by the ACD according the selected destination. See McCalmont, Abstract.

According to McCalmont, the first CSR provides data to the system and then redirects the call to the second CSR. The data provided by the first CSR is then sent to the second CSR. This is very different than the network providing a feature to the second user as required by the claims. In McCalmont, the system does not provide the data,. Applicants' claim 1 provides that the new feature is a network feature that is provided by the network and that is transferred by the network to the second user. Applicants' claim 10 provides that the call intercept feature is also a network feature that is provided by the network and that is provided to the first and second users. Applicants' claims 1 and 10 are therefore different from what is disclosed by McCalmont because the claims require the feature be provided by the network. The Office Action equates the claimed new feature provided by the network to the data that is transferred by the first user to the second user. Applicants' claims are not transferring data from the first user to the second user as taught by McCalmont. Rather Applicants' claims transfer new features including call intercept from the network to the users.

In view of the foregoing, it is respectfully submitted that McCalmont does not disclose providing a new network feature or call intercept feature from a network as required by claims 1 and 10. It is therefore respectfully submitted that independent claims 1 and 10 are not anticipated by McCalmont. As claims 2-9 and claims 11-16 depend upon and include the limitations of independent claims 1 and 10, respectively, Applicants respectfully submit that the dependent claims are not anticipated by McCalmont for the reasons given above. Applicants therefore request that the rejection under Section 102(e) be withdrawn.

As the Applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the Applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the

Serial No. 09/917,074

McKibben et al

Case No. IRI05435

Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Please charge any fees associated herewith, including extension of time fees, to **50-2117**.

Respectfully submitted,
McKibben, Bernerd R. et al.

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department

Customer Number: **22917**

By: /Simon B. Anolick/

Simon B. Anolick

Attorney for Applicant

Registration No.: 37,585

Telephone: 847-576-4234

Fax: 847-576-3750